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Attorneys for Defendant  
Lilith Games (Shanghai) Co. Ltd.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Blizzard Entertainment, Inc., and Valve Corporation,

Plaintiffs,

V.

Lilith Games (Shanghai) Co. Ltd., uCool, Inc., and uCool Ltd..

## Defendants.

Case No. 3:15-cv-04084-CRB-JSC

**DECLARATION OF W. BARTON  
RANKIN IN SUPPORT OF LILITH  
GAMES (SHANGHAI) CO. LTD.'S  
MOTION TO DISMISS PLAINTIFFS'  
SECOND AMENDED COMPLAINT  
AND MEMORANDUM OF POINTS  
AND AUTHORITIES IN SUPPORT**

Date: February 2, 2018  
Time: 10:00 a.m.  
Crtrm: 6, 17th Floor  
Before: The Hon. Charles R. Breyer

1. My name is Weldon Barton Rankin, and I am over the age of twenty-one (21) years,  
 2 of sound mind, and am counsel of record for Defendant, Lilith Games (Shanghai) Co. Ltd (“Lilith”).  
 3 I am currently employed as a Partner with the law firm of Baker & McKenzie LLP, and in that role, I  
 4 have been personally involved in drafting, filing, and serving pleadings and discovery responses in  
 5 this matter, as well as communicating directly with Plaintiffs’ counsel. As a result, I have personal  
 6 knowledge of the statements set forth in this declaration.  
 7

8. On May 24, 2017, Plaintiffs served its first set of interrogatories and second requests  
 9 for production on Lilith. Subject to its objections, Lilith responded to Plaintiffs’ discovery requests  
 10 with respect to Lilith’s game Dot Arena. In those responses, Lilith disclosed that Dot Arena was  
 11 developed in China, maintained on servers located outside the U.S., and released for users in  
 12 Southeast Asia. (*See* Lilith’s Objections and Responses to Plaintiffs First Set of Interrogs, Interrogs.  
 13 5-17, at 3, a true and correct copy of which is submitted as Ex. A to this declaration.) Further, Lilith  
 14 disclosed that only a limited number of users had actually accessed and played Dot Arena from a  
 15 U.S. IP address, and that the total revenues generated from that use equaled approximately  
 16 \$10,222.29 USD. (*Id.*) Because of the lack of revenue being generated by Dot Arena, as of  
 17 approximately August 7, 2017, it was no longer available for new users to download. (*See* Lilith’s  
 18 Objections and Responses to Plaintiffs First Set of Interrogs., Interrogs. 1-4, at 3, a true and correct  
 19 copy of which is submitted as Ex. B to this declaration.)  
 20

21. I personally obtained the following screen shots of Soul Hunters, Dota 2, and World  
 22 of Warcraft III from <https://www.youtube.com/watch?v=HtO9JSwWwU0>,  
 23 <http://www.dota2.com/play/>, and [https://en.wikipedia.org/wiki/Warcraft\\_III:\\_Reign\\_of\\_Chaos](https://en.wikipedia.org/wiki/Warcraft_III:_Reign_of_Chaos),  
 24 respectively:  
 25  
 26  
 27  
 28

# SOUL HUNTERS



DOTA 2



## WORLD OF WARCRAFT III



1       4. As referenced in Lilith's Motion to Dismiss Plaintiffs Second Amended Complaint  
2 filed contemporaneously with this declaration, I have submitted as Exhibits C to this declaration  
3 Lilith's further analysis of the remaining images from Exhibit A to Plaintiffs' Second Amended  
4 Complaint as those images relate to Lilith's game Soul Hunters. Further, as also referenced in  
5 Lilith's Motion to Dismiss Plaintiffs Second Amended Complaint filed contemporaneously with this  
6 declaration, I have submitted as Exhibits D to this declaration Lilith's further analysis of the  
7 remaining images from Exhibit B to Plaintiffs' Second Amended Complaint as those images relate  
8 to Lilith's game Soul Hunters.

10  
11 I declare under the penalty of perjury that the foregoing is true and correct.  
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16 Dated: November 17, 2017  
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W. Barton Rankin  
Attorney for Lilith Games (Shanghai) Co. Ltd.